

City of San Francisco

Criminal Justice Process

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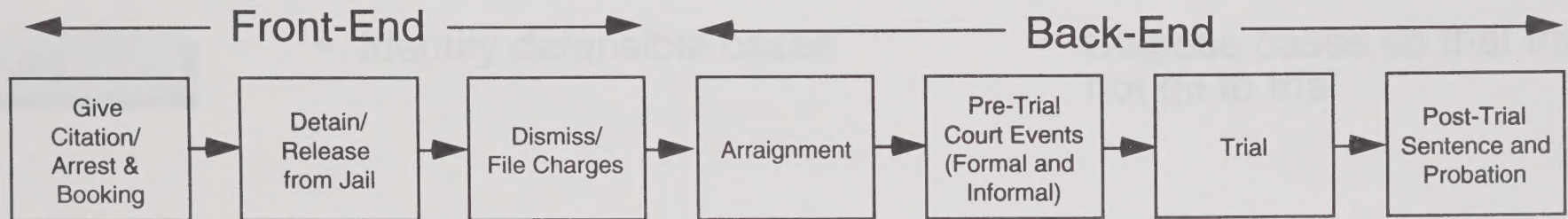
JUL 2 1996

UNIVERSITY OF CALIFORNIA

January 25, 1993

The Criminal Justice Process Can Be Divided Into Two Phases

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Divided into two phases
The current phase process can be

There Are Different Issues Between the Front-End And the Back-End of the Process

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The Front End

Purpose

- Identify defensible cases

Decisions

- Arrest or give citation
- Detain or release
- File or dismiss charge

The Back End

- Dispose cases so that they do not go to trial

- Bargain or not
- Types of charges to pursue
- Sentence type and severity

- Size of groups: 5 people
- Position of people
- Width of the screen

- Sequence of the and following
- Mode of control to be used
- Position of the

- Identify the people's needs

- Do it to the
- Do it to the

The Front End

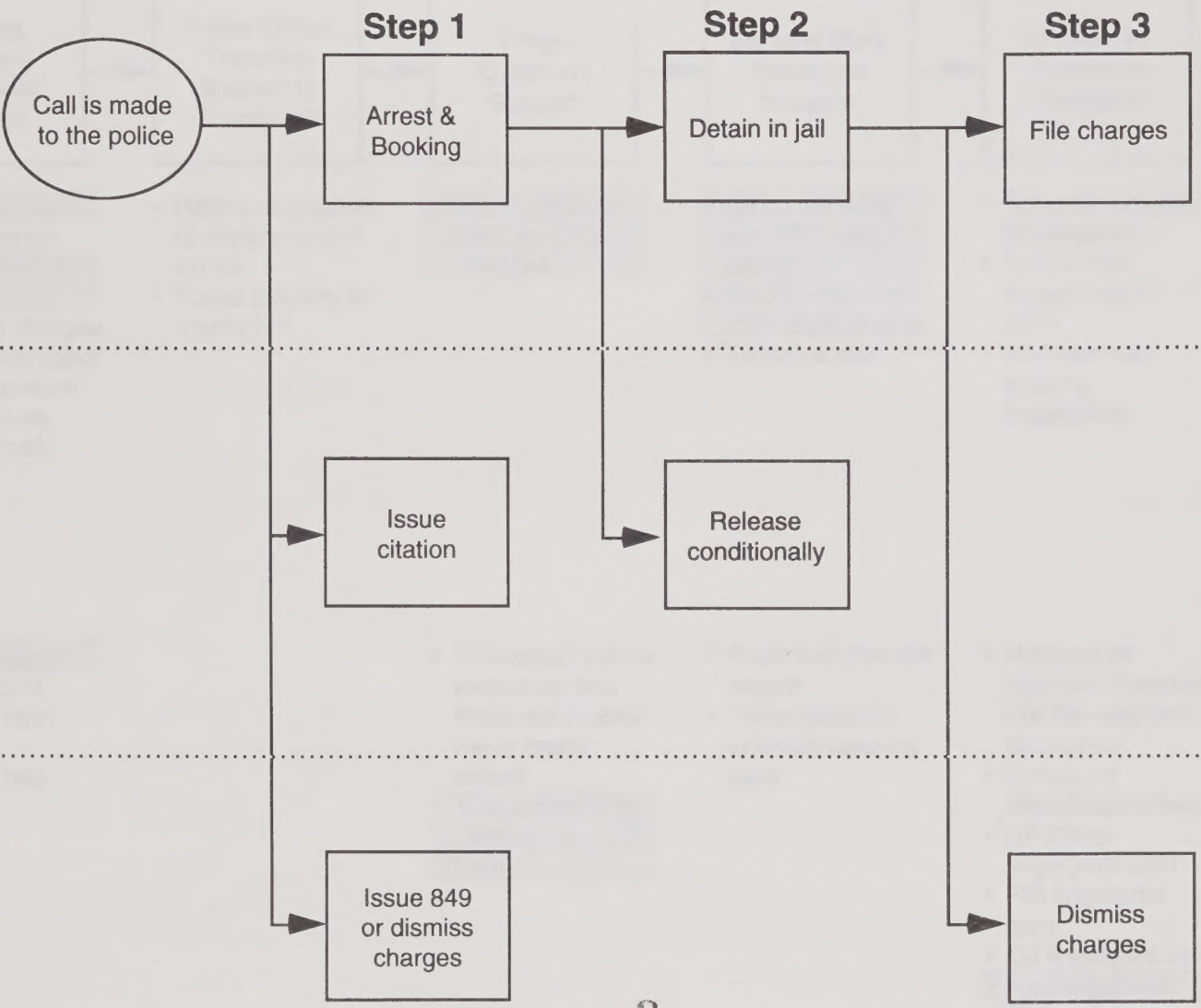
The Back End

Front-end and the back-end of the process
There are different issues between the

The Front-End Phase Is A 3-Step Process, With Key Decision Points Along the Way

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The Process



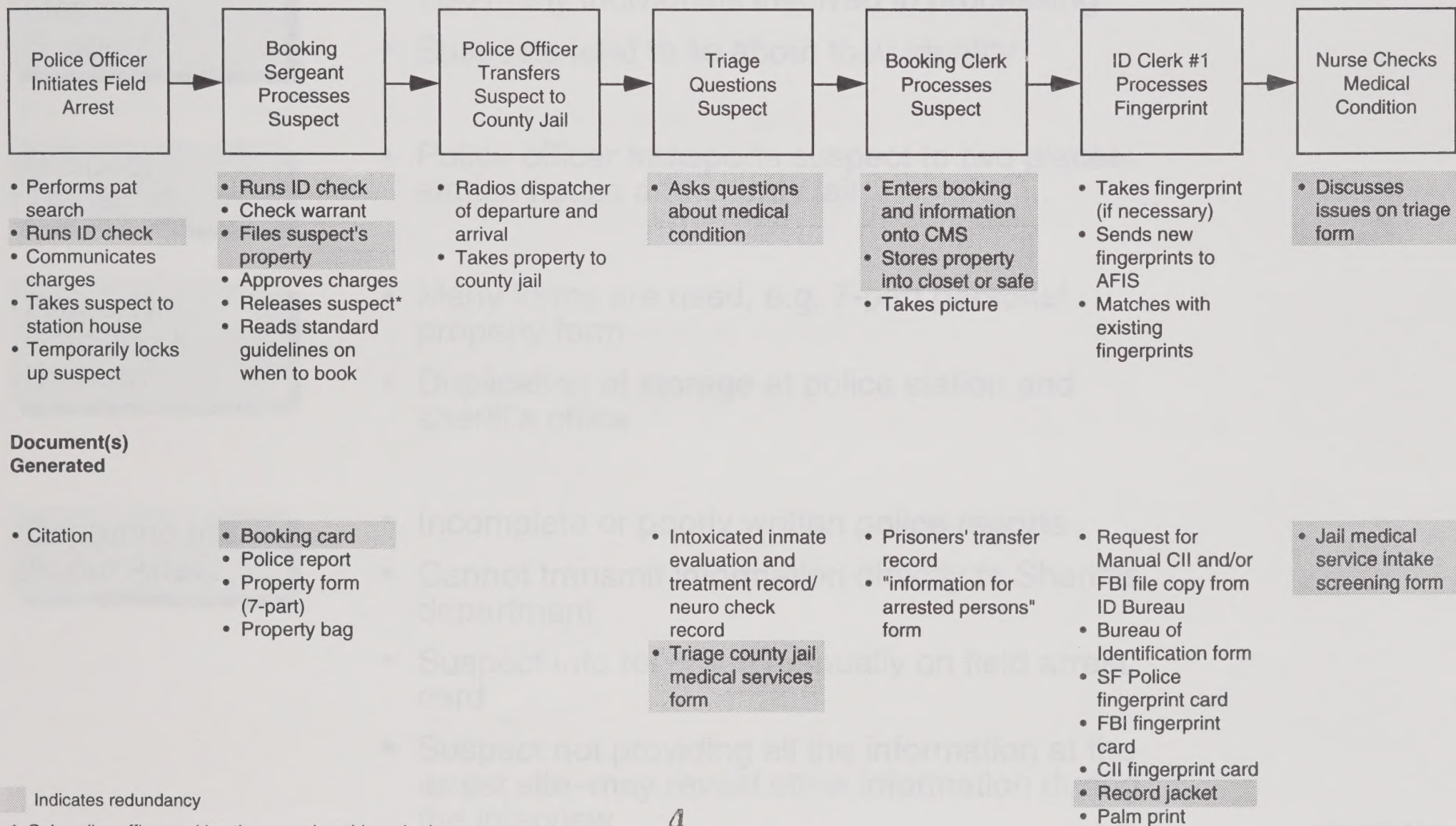
Release from Custody

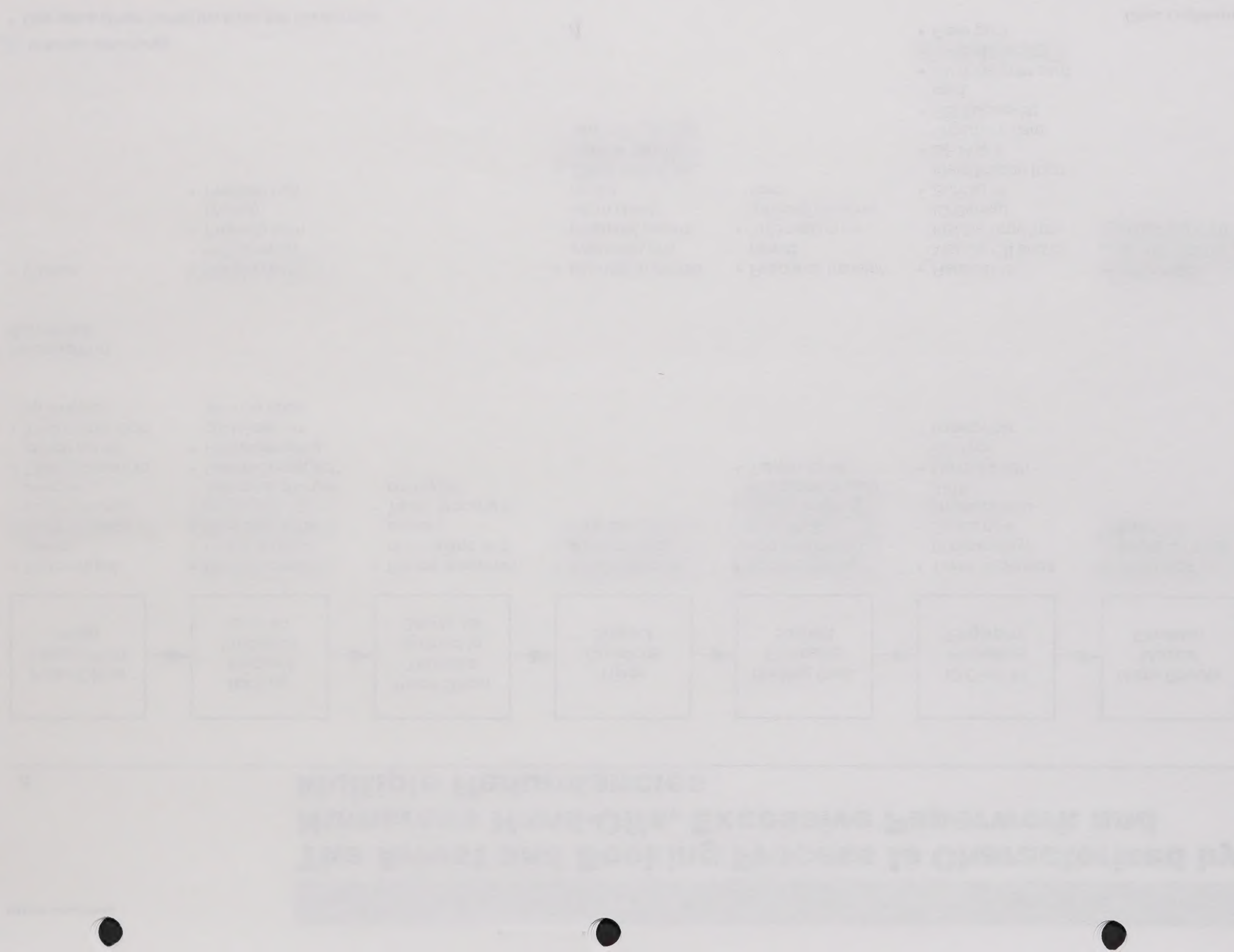
Release from System



The Arrest and Booking Process Is Characterized by Numerous Hand-Offs, Excessive Paperwork and Multiple Redundancies

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Moreover, There Are Many Issues Related to the Arrest and Booking Process

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Identify Suspect

- Too many individuals involved in processing
- Suspects tend to lie about their identity

Suspect Transport

- Police officer transports suspect to two places: station house and county jail

Property Tracking & Storage

- Many forms are used, e.g. 7-part personal property form
- Duplication of storage at police station and sheriff's office

Capturing Info About Arrest

- Incomplete or poorly written police reports
- Cannot transmit information directly to Sheriff's department
- Suspect info recorded manually on field arrest card
- Suspect not providing all the information at the arrest site—may reveal other information during the interview

Moreover, There Are Many Issues Related to the Arrest and Booking Process (cont.)

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Retrieving Suspect Info

- Cannot access data directly from Sheriff's department
- Police officers lacking awareness of info they can access from squad car
- Police not knowing how to use the computer in the squad car
- Police unable to access identification data at the station house [Need to verify this]

Identify Suspect

Overview

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Impact

- Costly and time-consuming
 - Suspect is identified at three sites: field arrest site, station house, and county jail

Issues

- Many individuals involved in processing:
 - Arresting police officer
 - Booking sergeant (at station house)
 - Booking clerk (at county jail)
 - ID clerk (performing fingerprints)
 - AFIS clerk (processing fingerprints)

Estimated Benefit

- Suspects tend to lie about their identity, although police officers are tracking these aliases

Identify Suspect

Alternatives & Considerations

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Strategy

- Identify suspect at arrest site
- Identify suspect at county jail

Tactics

- Take suspect's fingerprints at arrest site
- Access suspect records via fingerprint input
- Take suspect directly to county jail upon arrest

Considerations

- Need to invest in new equipment and information system

Next Steps

Suspect Transport & Storage

Overview

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Impact

- Police officer time is tied up with the suspect throughout the arrest and booking process

Issues

- Police officer transports suspect to two places: station house and county jail
- Suspect info recorded manually on field arrest card

Estimated Benefit

Suspect Transport & Storage

Alternatives & Considerations

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Strategy

- Eliminate redundant transportation

Tactics

- Take suspect directly to county jail upon arrest

Considerations

- Suspects brought to stationhouse for
 - Temporary detention of juvenile and drunks
 - Police officer to get second opinion
 - Police officer to gather more information about suspect
- Will county jail have enough capacity to if police directly transport suspects?

Next Steps

Property Tracking and Storage Overview

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Impact

- Costly, because a lot of forms and paperwork is involved

Issues

- Lots of forms used:
 - 7-part personal property form
 - Property envelope
 - Property release form
 - Evidence envelope
- Duplication of storage at police station and sheriff's office

Estimated Benefit

Property Tracking and Storage

Alternatives & Considerations

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Strategy

- Reduce the number of forms
- Limit the amount of data collected and tracked

Tactics

- Standardize on one form/envelope

Considerations

Next Steps

Capturing Info About Arrest

Overview

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Impact

- Restricts the percentage of defendants who are arraigned
- One police officer's (booking sergeant's) time doing mostly clerical work

Issues

- Incomplete or poorly written police reports
- Cannot transmit information directly to Sheriff's department
- Suspect info recorded manually on field arrest card
- Suspect not providing all the information at the arrest site—may reveal other information during the interview

Estimated Benefit

Capturing Info About Arrest

Alternatives & Considerations

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Strategy

- Capture information once, at the arrest site
- Impose guidelines on the quality of police reports

Tactics

- Provide data link between police radio terminal and sheriff systems
- Eliminate booking sergeant position
- Set new standards for police reports
- Create a "court officer" position whose job is to ensure completed reports are sent to D.A.
- Rotate officers in this position

Considerations

- Need to invest in new information system

Next Steps

Retrieving Suspect Info

Overview

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Impact

- Adds to the processing time for police to identify and evaluate arrest

Issues

- Cannot access data directly from Sheriff's department
- Police officers lacking awareness of info they can access from squad car
- Police not knowing how to use the computer system in the squad car
- Police unable to access identification data at the station house [Need to verify this]

Estimated Benefit

Retrieving Suspect Info

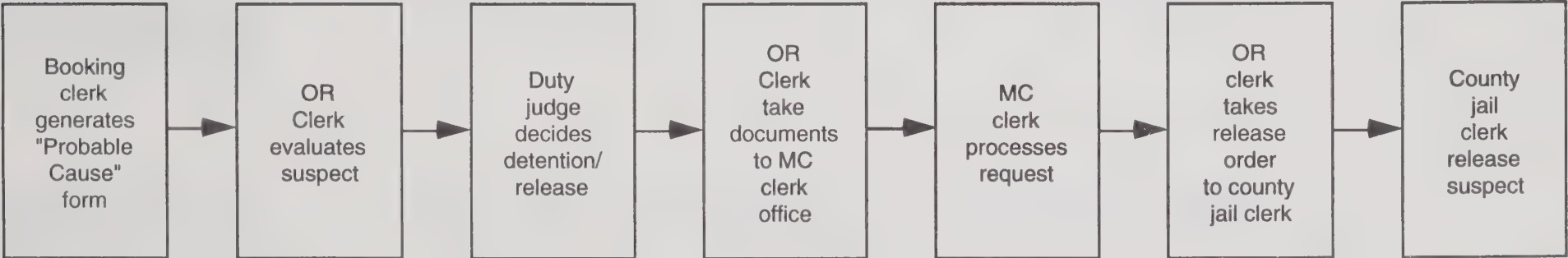
Alternatives & Considerations

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Strategy	Tactics	Considerations	Next Steps
<ul style="list-style-type: none">• Allow police direct access to suspect records from squad car• Get more users on existing system	<ul style="list-style-type: none">• Provide data linkage between police communication terminal and sheriff systems• Provide training for officers on existing system in the squad car	<ul style="list-style-type: none">• Need to invest in new information system• Some officers "grew up" without computers and "rely on their senses"	

Detain/Release Process: Example of OR Bail Project

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- Gathers suspect information for evaluation
- Examines police report
- Interviews suspect
- Drafts recommendation for duty judge

- Decides whether to discharge on insufficient "probable cause"
- Decides whether to release custody

- Verifies correct charges
- Gives copies of release to OR
- Updates "cause for hold" field
- Updates OR status in computer

- Prepares property release form

Document Generated

- "Probable Cause" form

- OR interview form
- OR "Promise to Appear and Order" form

- Property release form

Issues with Detain/Release Process

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Release Mechanisms

- Proliferation of release programs, as a way to reduce jail overcrowding

Decision To Release

- Releases from sheriff citation average 5.9 days while field citation releases average 0.4 day
- Default process is to book and detain the suspect before duty judge or D.A. makes decision on felony cases
- Evaluation of releases done on adhoc basis

Processing the Release

- Multiple handoffs
- County jail will not release without certified form

Release Mechanisms

Overview

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Impact

- Costly to have the different types of releases
 - Each release mechanism has its own paperwork and process

Issues

- Proliferation of release programs, as a way to reduce jail overcrowding*

Estimated Benefit

Release Mechanisms

Alternatives & Considerations

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Strategy	Tactics	Considerations	Next Steps
<ul style="list-style-type: none">• Reduce the number of release programs• Standardize single form/process for the releases	<ul style="list-style-type: none">•		

Decision to Release

Overview

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Impact

- Costly to temporarily detain suspect in jail

Issues

- Releases from sheriff's citation averages 5.9 days while field citations average 0.4 day
- The default process is to book and detain the suspect before duty judge or D.A. makes decisions on felony case
 - Police and Sheriff only have authority to release for misdemeanors
 - Court and D.A. have authority to release for felony cases

Estimated Benefit

- Evaluation of releases done on adhoc basis
 - No mechanism to track failure to appear in court

Decision to Release

Alternatives & Considerations

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Strategy

- Increase field release, decrease sheriff release
- Avoid detaining the suspect
 - Eliminate classification step

Tactics

- Create an expedite process for suspects targeted for temporary detention
- Have duty judge make decision vis video conferencing at holding cell

Considerations

- Police do not want to be held responsible for releasing suspect

Next Steps

Processing the Release

Overview

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Impact

- Delays between decision to release and actual release — could be as long as one-half day

Issues

- Multiple handoffs
 - Booking clerk
 - OR clerk
 - MC clerk
- County jail will not release without certified form (CYA form in case wrong release)

Estimated Benefit

Processing the Release

Alternatives & Considerations

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Strategy

- Capture judge's decision at the source
- Allow sheriff to release suspect from computer order

Tactics

- Let MC clerk key in judge's decision directly into terminal
- Eliminate physical form requirement for release

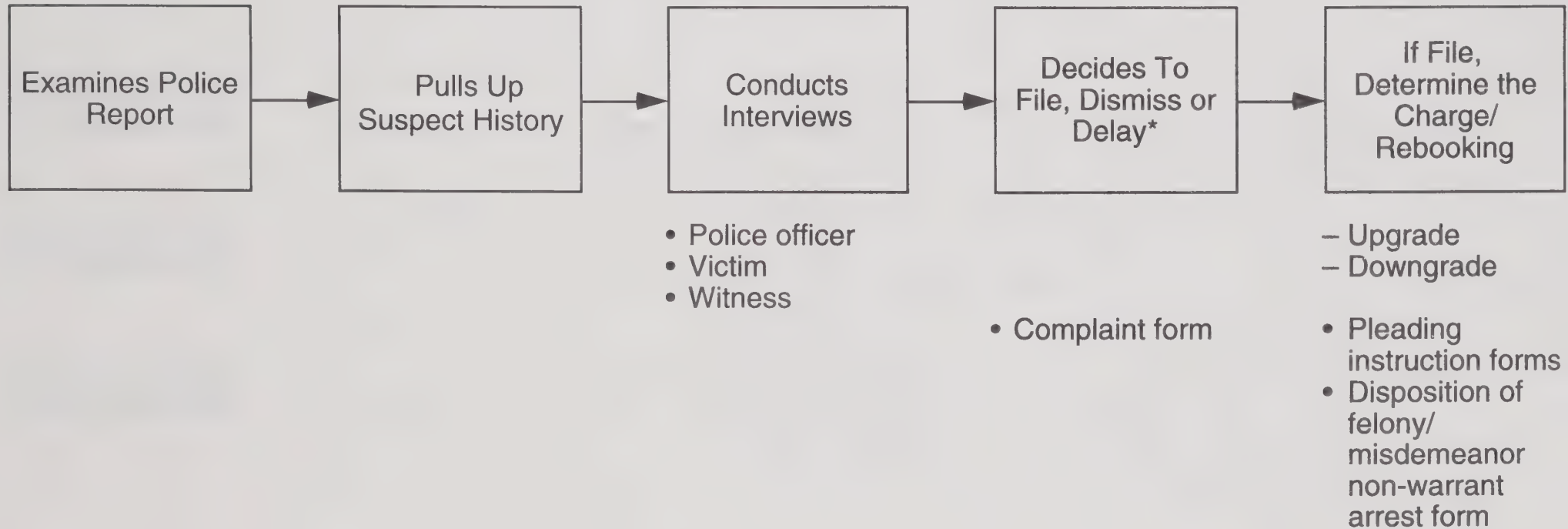
Considerations

- Will require rescheduling to make staff available for weekends

Next Steps

The Process of File/Dismiss Charges

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* Delay means suspect must be released from custody

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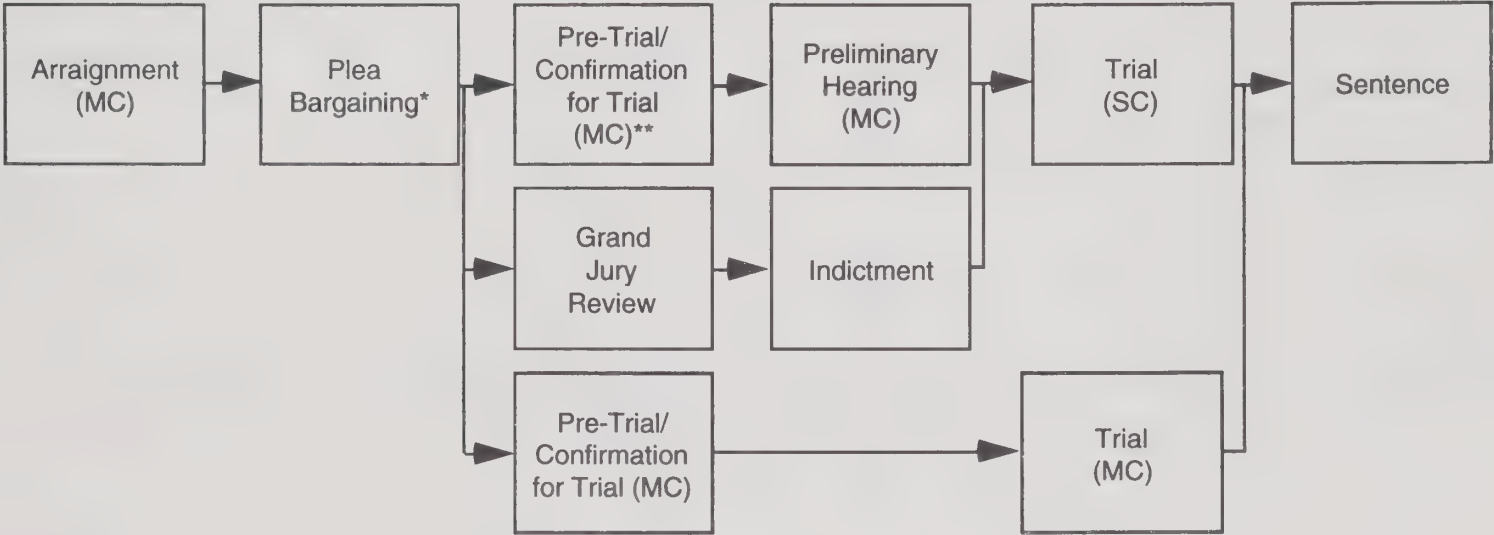
The Back-End Phase Has Three Possible Routes

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Felony

Felony

Misdemeanor



Note:
MC = Municipal Court
SC = Superior Court
* Plea Bargaining is not a formal court process
** This step is optional for felony cases

The Back-End Process Is Complicated by Numerous Court Events that the Suspect Could Go Through

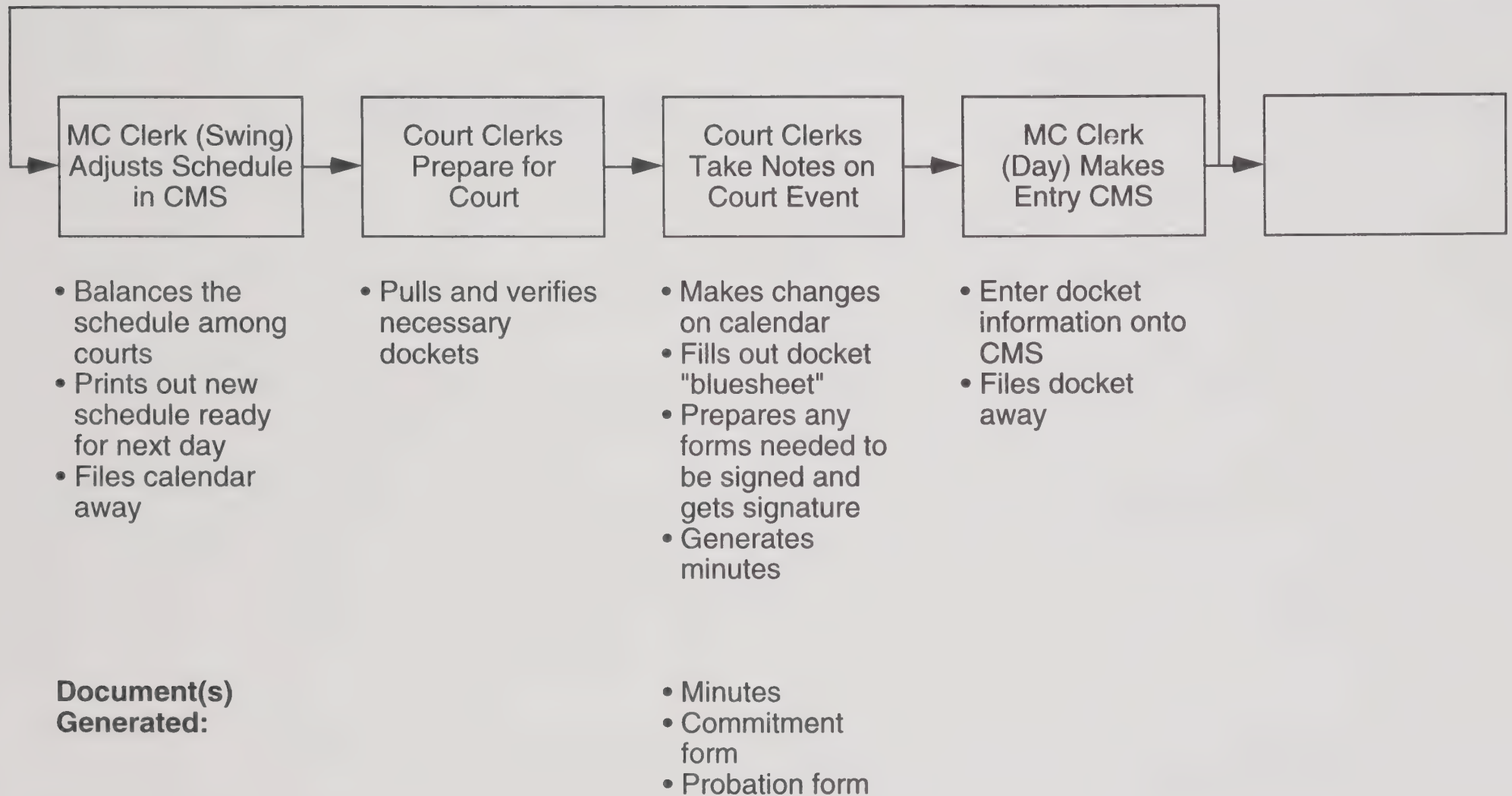
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Court Events Presiding Judge	Pre-Arraignment	Arraignment	Pre-Trial	Trial	Post-Trial
Duty Judge	<ul style="list-style-type: none"> • Probable Cause • Bench Warrant • Arrest (DA) Warrant • Search Warrant • O/R Release • Diversion Status Report 				
Motion Judge			<ul style="list-style-type: none"> • Motions 		
Trial Judge		<ul style="list-style-type: none"> • Arraignment 	<ul style="list-style-type: none"> • Pre-trial conference • Set or Dispo (Pre-trial Phase II) • Continuance (for plea, for counsel, etc.) • Preliminary hearing* • Change of plea 	<ul style="list-style-type: none"> • Trial with jury 	<ul style="list-style-type: none"> • Appeals probation hearing sentencing

* Superior Court only

Each of the Court Events Requires Four Basic Steps of Calendaring and Processing

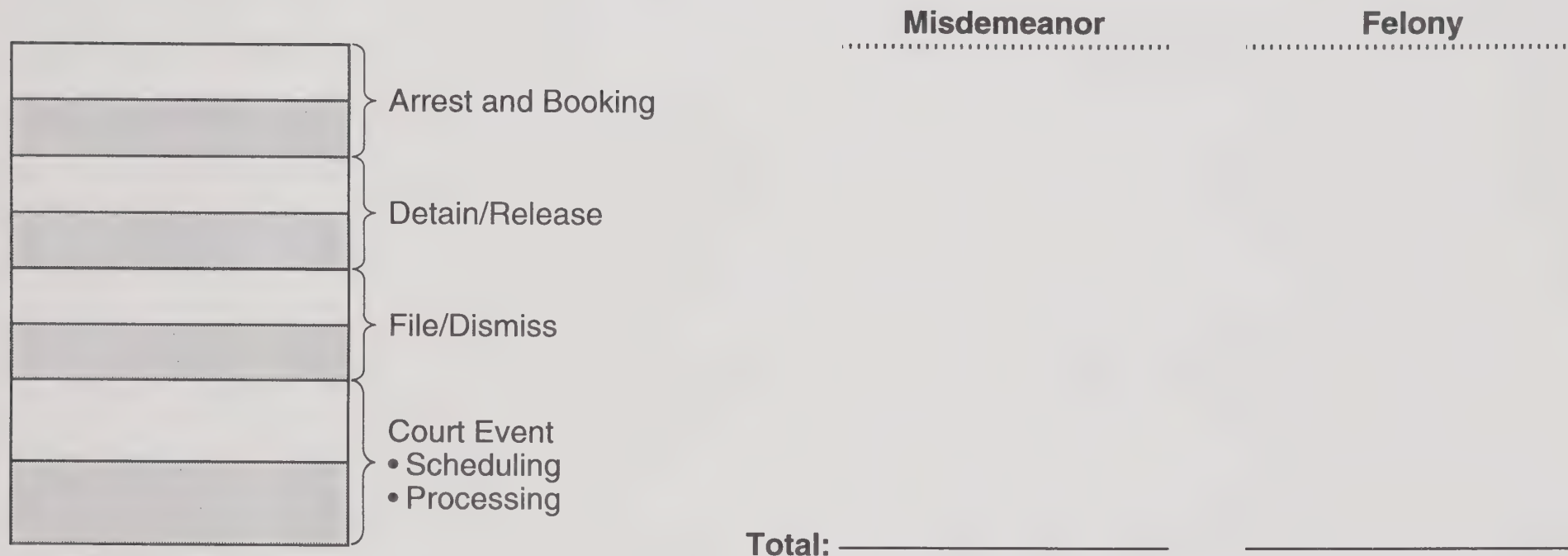
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Appendix A

The Cost Per Case Is Determined by Four Primary Components...

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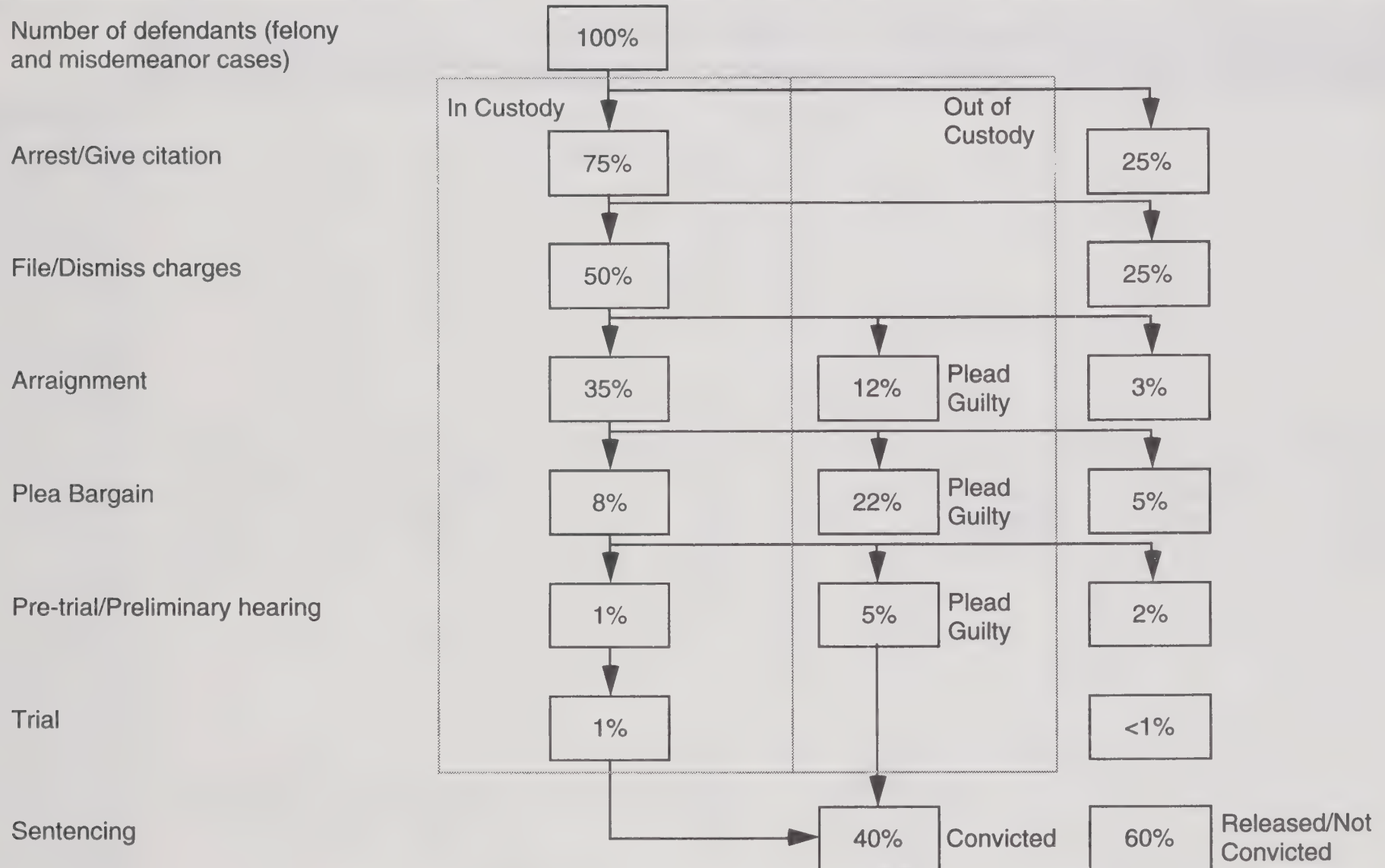
...Where administrative/clerical costs account for ____% of total cost

Vision

Approximately 60% of the Defendants Are Released at Different Phases in the Criminal Justice Process*

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Number of defendants (felony and misdemeanor cases)



*Source: Interview with D.A. from another county

San Francisco Jail Population Management Plan: Causes of Overcrowding Report

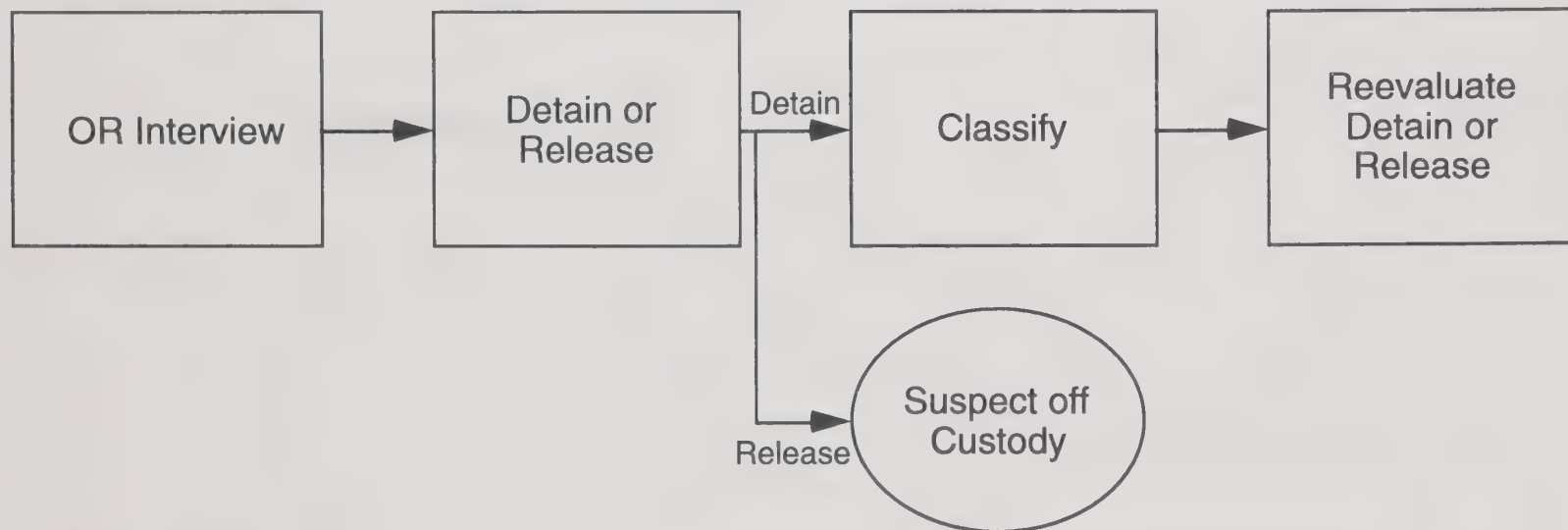
The Stakeholders in the Criminal Justice Process Have Different Interests and Authority

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	Police	Sheriff	Public Defender	District Attorney	Municipal Court	Superior Court	Probation
Interests			<ul style="list-style-type: none"> • Win their case 	<ul style="list-style-type: none"> • Win their case 			
Authority	<ul style="list-style-type: none"> • Make arrest • Can dismiss charges based on 849 	<ul style="list-style-type: none"> • Is in charge of suspect's custody 			<ul style="list-style-type: none"> • Sole authority to formally file charges 	<ul style="list-style-type: none"> • Can dismiss the case • Set bail amount 	<ul style="list-style-type: none"> • Can dismiss the case • Sets the sentence
Others	<ul style="list-style-type: none"> • Is appointed 	<ul style="list-style-type: none"> • Is elected 					

The Process for Determining Whether To Detain/Release the Suspect

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- OR release form
- OR form interview

- Classification unit form

Approximately 75% of the Release Mechanisms
 Are: Field Stationhouse Citation,
 Sheriff's Citation, and OR Call Project

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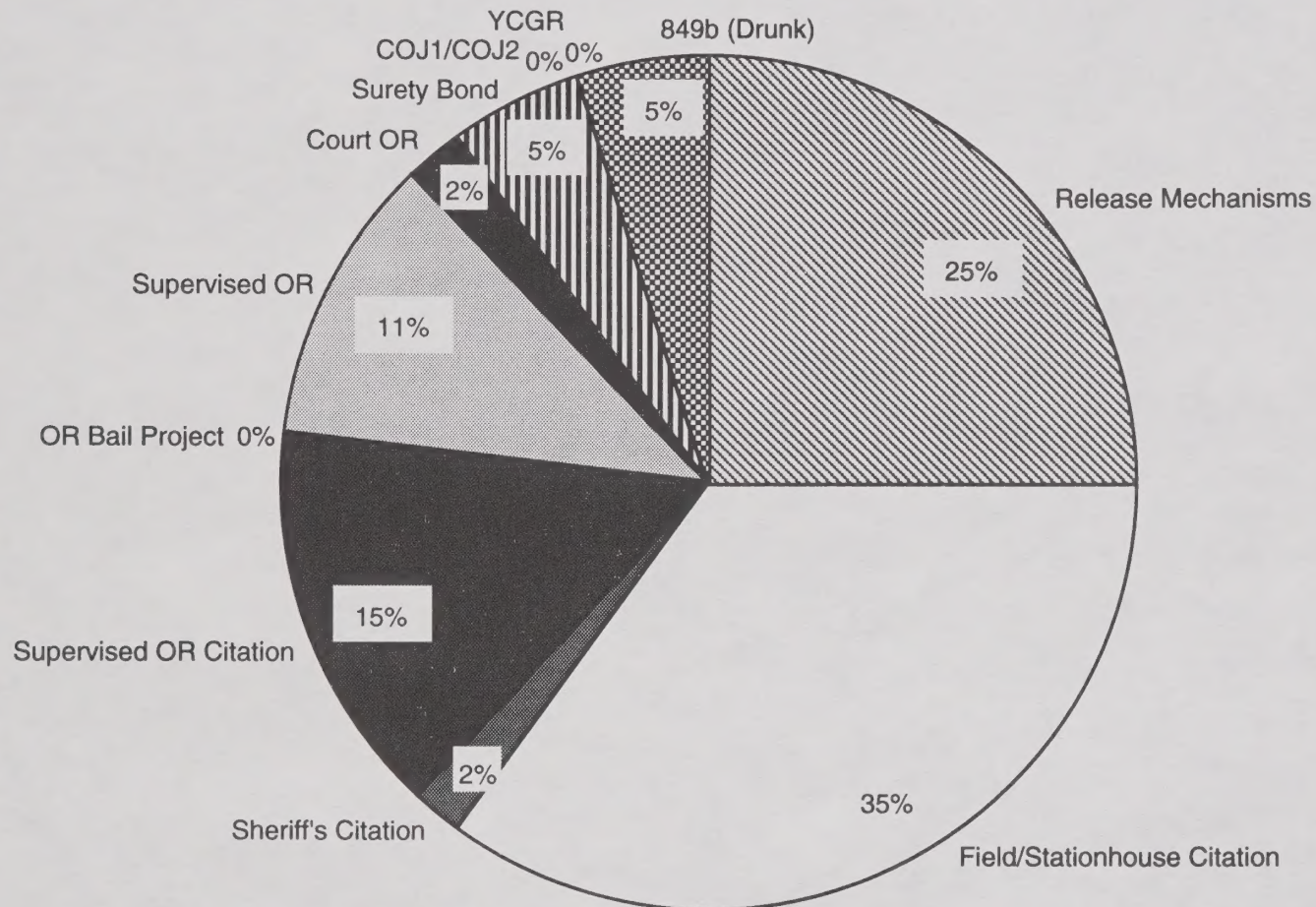
Appendix B

Approximately 75% of the Release Mechanisms Are: Field Stationhouse Citation, Sheriff's Citation, and OR Bail Project

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Estimates of Types of Releases

Felony and Misdemeanor





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Figure 1. Distribution of Citation Types

Direct Citation and Indirect Citation
Approximately 80% of the citations are